

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

SABAL TRAIL TRANSMISSION, LLC,	*	CASE NOS.
Plaintiff,		4:16-cv-97 4:16-cv-113
	*	4:16-cv-99 4:16-cv-114
vs.		4:16-cv-102 4:16-cv-119
REAL ESTATE, <i>et al.</i> ,		*
Defendants.		4:16-cv-103 4:16-cv-121
	*	4:16-cv-104 4:16-cv-122
	*	4:16-cv-105 4:16-cv-123
	*	4:16-cv-107 4:16-cv-124
	*	4:16-cv-108 4:16-cv-125
	*	4:16-cv-109 4:16-cv-126
	*	4:16-cv-110

O R D E R

Earlier today, the Court entered an order granting Sabal Trail Transmission, LLC's motions for summary judgment and motions for preliminary injunction. After that order was docketed, the Court found an error in § VIII of Appendix A, and the Court enters this Order to correct that error. The Court erroneously stated that none of the Defendants in 4:16-cv-108 had answered Sabal Trail's notice of condemnation and that the only Defendants from that case who attended the motion hearing were Lillian Moore and Alonzo Hill, Jr. The first paragraph of § VIII of Appendix A is hereby amended to state:

There are twenty-eight Defendants in this action. As the Court previously recounted, fourteen Defendants were served in accordance with Federal Rule of Civil Procedure 71.1(d)(3)(A), and eleven of the Defendants were properly served by publication

under Federal Rule of Civil Procedure 71.1(d)(3)(B). Order for Status Report § I, ECF No. 21 in 4:16-cv-108. None of these Defendants except the United States filed an answer. The United States did file an answer, asserting that it has an IRS tax lien against Defendant Elijah Wheeler and that it has a claim against any compensation that is determined to be just and adequate for the rights condemned. The United States did not object to the taking, the partial summary judgment motion, or the preliminary injunction motion. The rest of the Defendants, who did not answer, "waive[d] all objections and defenses" they might have made to the taking. Fed. R. Civ. P. 71.1(e)(3). Lillian Moore and Alonzo Hill, Jr. attended the hearing on the pending motions, as did an attorney representing the United States. They do not oppose the easement, but they want to make sure that they are treated fairly and receive just compensation. None of the other Defendants attended the hearing.

The Court's previous order is amended accordingly.

IT IS SO ORDERED, this 10th day of June, 2016.

S/Clay D. Land

CLAY D. LAND

CHIEF U.S. DISTRICT COURT JUDGE
MIDDLE DISTRICT OF GEORGIA